IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.1283 OF 2002
IN
SECOND APPEAL NO. 556 OF 1986

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

CORAM : ABHAY S.OKA, J.

DATED : 24th March, 2005.

P.C.:

1. This Application is filed by the Appellant No.1 praying that the unknown legal representatives of the Respondents Nos.2, 3 and 4 be brought on record. The learned Counsel appearing for the Applicants submitted that the Applicants are unable to get the names of the legal representatives of the deceased Respondents Nos.2 to 4 in the Second Appeal. Perusal of the Application shows that no efforts have been made by the Applicants to find out whether the concerned Respondents are survived by any legal representatives. In paragraph No.3 of the Application, there is a reference to the letter sent by the Respondent No.1 addressed to this Court in which it is stated that the Respondents Nos.2 to 4 are survived by children. The only contention

raised in the Civil application is that some correspondence was exchanged and the Respondent No.1 did not inform the names of the legal representatives of the deceased Respondents. In this view of the matter, the Application is misconceived and the same is rejected. If the concerned Respondents have no surviving legal representatives, the liberty to the Applicants to adopt procedure under Rule 4A of Order XXII of the Code of Civil Procedure, 1908.

Judge.